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and BLIZZARD ENTERTAINMENT, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

ERIK ESTAVILLO,

Plaintiff,

v.

ACTIVISION BLIZZARD, INC.,

Defendant.

CASE NO. 19-cv-05540-NC

Assigned To: Hon. Nathanael Cousins
Courtroom: 5

**[PROPOSED] ORDER GRANTING
MOTION TO DISMISS COMPLAINT**

*[Notice of Motion and Motion to Dismiss;
Request for Judicial Notice; and
Declaration of Matthew G. Ardoin filed
concurrently herewith]*

Date: October 23, 2019
Time: 1:00 p.m.
Courtroom.: 5

Action Filed: August 2, 2019
Trial Date: None Set

1 On _____, 2019, at 1:00 p.m., the Motion to Dismiss Plaintiff Erik
2 Estavillo's ("Plaintiff") Complaint came on regularly for hearing, the Honorable
3 Nathanael Cousins presiding. After carefully considering the papers filed by the parties
4 and having heard argument and being fully advised, the Court orders as follows:

5 It is hereby ORDERED that the Motion to Dismiss Plaintiff's Complaint is
6 GRANTED in its entirety.

7 It is further ORDERED that the Complaint is dismissed with prejudice and
8 without leave to amend.

9
10
11 Dated: _____

THE HONORABLE NATHANAEL COUSINS
UNITED STATES DISTRICT JUDGE

PROOF OF SERVICE

I am employed in the County of Orange, State of California. I am over the age of 18 years and not a party to this action. My business address is SCHILLING LAW GROUP, PC 1100 Newport Center Drive, Suite 250, Newport Beach, CA 92660. My email address is *shamika.polin@schillinglawgroup.com*.

On September 10, 2019, I served the following document(s) described as:

[PROPOSED] ORDER GRANTING MOTION TO DISMISS COMPLAINT
by serving a true copy of the above-described document in the following manner:

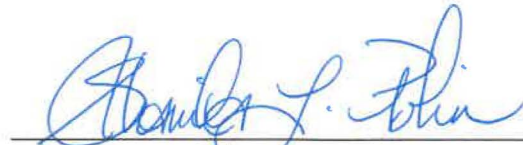
BY OVERNIGHT MAIL DELIVERY

I am familiar with the office practice of Schilling Law Group, PC for collecting and processing documents for overnight mail delivery by Express Mail or other express service carrier. Under that practice, such documents are delivered for overnight mail delivery by Express Mail or other express service carrier on that same day in the ordinary course of business, with delivery fees thereon fully prepaid and/or provided for. I mailed a sealed envelope or package containing the above-described document(s) and addressed as set forth below in accordance with the office practice of Schilling Law Group, PC for collecting and processing documents for overnight mail delivery by Express Mail or other express service carrier:

Erik Estavillo 3284 Cortese Circle San Jose, CA 95127 Tel: (408) 593-1226	
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I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: September 10, 2019


Shamika L. Polin